

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRIAN KEITH ALFORD,	:	Case No. 2:22-cv-01652
	:	
Plaintiff,	:	District Judge Sarah D. Morrison
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
TOM SCHWEITZER, et al.,	:	
	:	
Defendants.	:	

REPORT AND RECOMMENDATION

Plaintiff, an inmate in state custody who is proceeding without the assistance of counsel, alleges that various employees of the Ohio Department of Rehabilitation and Corrections (“ODRC”) violated his civil rights. On July 11, 2022, this Court ordered Plaintiff to pay the \$402 filing fee within 60 days. Plaintiff was warned that failure to timely pay the full fee would result in this case being dismissed. (Doc. 7.) Plaintiff subsequently requested and received an extension until November 14, 2022 to pay the filing fee. (Doc. 11.) To date, Plaintiff has not paid the filing fee.

“District courts have the inherent power to *sua sponte* dismiss civil actions for want of prosecution to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630-31 (1962). *See also Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991). Failure of a party to respond to an order of the court warrants invocation of the Court’s inherent power. *See Fed. R. Civ.*

P. 41(b). Accordingly, this case should be dismissed due to Plaintiff's failure to comply with the Court's July 11, 2002 Order. *See In re Alea*, 286 F.3d 378, 382 (6th Cir. 2002).

IT IS THEREFORE RECOMMENDED THAT this case be **DISMISSED** for want of prosecution.

/s/ Caroline H. Gentry
Caroline H. Gentry
United States Magistrate Judge

Procedure on Objections

If any party objects to this Report and Recommendation (Report), that party may, within fourteen (14) days of the date that this Report was filed, file and serve written objections to specific findings or recommendations along with supporting authority for the objection(s). Responses to objections are due ten days after objections are filed and replies by the objecting party are due seven days thereafter. A District Judge will then make a *de novo* determination of the portions of the report, findings, or recommendations to which objection is made. The District Judge may accept, reject, or modify, in whole or in part, this Court's findings or recommendations, may receive further evidence, or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are advised that a failure to object to the Report will result in a waiver of a party's right (1) to have the District Judge review the Report *de novo* and (2) to appeal a decision of the District Court adopting the Report. *See Thomas v. Arn*, 474 U.S. 140 (1985); *U.S. v. Walters*, 638 F.2d 947 (6th Cir. 1981).